United States, 390 U.S. 39, and *Grosso* v. *United States*, 390 U.S. 62. The sole issue presented by this petition is whether such evidence could be used in petitioner's trial under different statutes in 1970. That such evidence is admissible was fully established in the opinion of the court of appeals (see Pet. App. A). To the same effect see *United States* v. *Hanon*, 428 F. 2d 101 (C.A. 8), certiorari denied May 3, 1971, No. 358, October Term, 1970; *United States* v. *Tiktin*, 427 F. 2d 1027 (C.A. 6), certiorari denied May 3, 1971, No. 369, October Term, 1970; *DiPiazza* v. *United States*, 415 F. 2d 99 (C.A. 6), certiorari denied May 3, 1971, No. 67, October Term, 1970; see also *Washington* v. *United States*, 402 F. 2d 3 (C.A. 4), certiorari denied May 17, 1971, No. 11, October Term, 1970. This Court denied review in those cases subsequent to its decision in *United States* v. *United States Coin and Currency*, 401 U.S. 715, relied upon by petitioner as the sole reason for granting certiorari.

It is therefore respectfully submitted that the petition for a writ of certiorari should be denied.

ERWIN N. GRISWOLD,
Solicitor General.

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